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DA 97-1714

DISPATCHED BY **Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Local Exchange Carriers') CC Docket No. 93-162
Rates, Terms, and Conditions)
for Expanded Interconnection)
Through Physical Collocation)
for Special Access and Switched Transport)

ORDER

Adopted: August 12, 1997

Released: August 12, 1997

By the Chief, Competitive Pricing Division, Common Carrier Bureau:

I. INTRODUCTION

1. On August 7, 1997, Pacific Bell (Pacific) filed an emergency motion for an extension of time to file tariff revisions that include rate elements for point of termination (POT) bays and repeaters pursuant to the requirements of the *Physical Collocation Tariff Investigation Order*.¹ Pacific seeks an extension of time until September 11, 1997, to make this filing. For the reasons stated herein, we grant Pacific's request for an extension of time.

II. BACKGROUND

2. In the *Physical Collocation Tariff Investigation Order*, the Commission required the local exchange carriers (LECs) that have physical collocation tariffs in effect subject to this investigation to submit tariff revisions and plans for issuing refunds.² The Commission also ordered LECs that discontinued physical collocation service following the

¹ See Local Exchange Carriers' Rates, Terms, and Conditions for Expanded Interconnection Through Physical Collocation for Special Access and Switched Transport, CC Docket No. 93-162, First Report and Order, FCC 97-208 (June 13, 1997) (*Physical Collocation Tariff Investigation Order*).

² Lincoln Telephone and Telegraph, Nevada Bell, NYNEX, Pacific, Rochester Telephone Corporation, and Southern New England Telephone Company never discontinued providing physical collocation service.

release of the *Virtual Collocation Order*³ to submit plans for issuing refunds.⁴ Pacific filed a motion for an extension of time on July 18, 1997, contending that an extension of time was necessary because much of the historical data needed to comply with the *Physical Collocation Tariff Investigation Order* was inadvertently deleted from its computer files in 59 of its 126 central offices. In response to Pacific's July 18, 1997 motion for an extension of time, the Common Carrier Bureau (Bureau) extended the deadline for submitting Pacific's compliance filings from July 28, 1997 until August 20, 1997 for 29 of the 59 central offices, and until September 12, 1997 for the remaining 30 offices.⁵

3. The *Physical Collocation Tariff Investigation Order* required LECs to allow interconnectors the option of either providing their own POT bays or purchasing the equipment from LECs. It also required that if a LEC does not require a specific type of POT bay but an interconnector chooses to provide a zero level signal test point POT bay, the LEC must offer the interconnector repeaters at a tarified rate.⁶ As explained below, Pacific failed to file tariff provisions for POT bays and repeaters on July 28, 1997 as required by the *Physical Collocation Tariff Investigation Order*.

III. PLEADINGS

4. Pacific contends that an extension of time is necessary because it inadvertently neglected to include the tariffing of POT bays and repeaters in its July 18, 1997 request for an extension of time to file tariff revisions. On July 28, 1997, Pacific filed tariff revisions, which included rate elements for cross connections without POT bays and repeaters. Pacific states that in order to provide POT bays and repeaters as a tarified service that may be purchased in conjunction with tarified cross-connections, it must make numerous changes in its database systems, as well as its ordering, provisioning, and maintenance procedures. Pacific states that the same personnel who must complete the additional work to replace Pacific's database, must also make the changes to the database systems and ordering, provisioning, and maintenance procedures to provide POT bays and repeaters as tarified services.

³ Expanded Interconnection with Local Telephone Facilities, Memorandum Opinion and Order, CC Docket No. 91-1419, 9 FCC Rcd 5154 (1994) (*Virtual Collocation Order*).

⁴ Ameritech Operating Companies, Bell Atlantic Telephone Companies, BellSouth Telecommunications, Inc., Central Telephone Companies, Cincinnati Bell Telephone Companies, GTE Telephone Operating Companies, Southwestern Bell Telephone Company, and U S West discontinued physical collocation service.

⁵ Local Exchange Carriers' Rates, Terms, and Conditions for Expanded Interconnection Through Physical Collocation for Special Access and Switched Transport, CC Docket No. 93-162, Order, DA 97-1596, at para. 4 (Com. Car. Bur. July 25, 1997).

⁶ *Physical Collocation Tariff Investigation Order* at paras. 110-111.

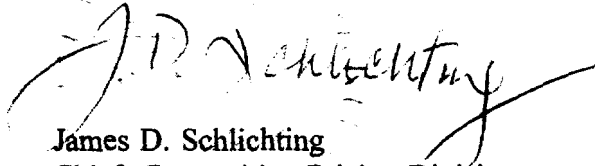
IV. DISCUSSION

5. It is the policy of the Commission that motions for extensions of time shall not be routinely granted.⁷ We find that good cause exists to grant Pacific additional time to include POT bays and repeaters in its tariff. Accordingly, we grant Pacific's motion for an extension of time and extend the deadline for Pacific to file tariffs for POT bays and repeaters until September 11, 1997. We find that granting Pacific's emergency motion for an extension of time will not prejudice any other party to this proceeding.

V. ORDERING CLAUSE

6. Accordingly, IT IS ORDERED, pursuant to Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, that the Emergency Motion for Extension of Time filed by Pacific Bell is GRANTED to the extent indicated herein.

FEDERAL COMMUNICATIONS COMMISSION



James D. Schlichting
Chief, Competitive Pricing Division
Common Carrier Bureau

⁷ 47 C.F.R. § 1.46(a) (1996).